

THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \* \*

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CLIVEN D. BUNDY,  
RYAN C. BUNDY,  
AMMON E. BUNDY, and  
RYAN W. PAYNE,

Defendants.

2:16-cr-46-GMN-PAL-1-4

DATE: December 20, 2017

Courtroom 7C

THE HONORABLE GLORIA M. NAVARRO, CHIEF UNITED STATES DISTRICT JUDGE

DEPUTY CLERK: Aaron Blazeovich COURT REPORTER: Patty Ganci

COUNSEL FOR PLAINTIFF: Steven Myhre, Nadia Ahmed and Daniel Schiess with FBI Agents Joel Willis, Sharon Gavin and Mike Abercrombie

COUNSEL FOR DEFENDANT: Bret Whipple, Maysoun Fletcher (Standby Counsel), Daniel Hill, Jay Morgan Philpot, Brenda Weksler, Ryan Norwood, Amy Cleary and Shari Kaufman

COUNSEL FOR INTERVENOR: Alina Shell

MINUTES OF PROCEEDINGS: Jury Trial (Day 16)

8:30 a.m. The Court convenes outside the presence of the jury. The Court makes preliminary statements. The Court admonishes the parties regarding courtroom demeanor. The Court makes findings regarding various Brady discovery violations made by the Government as stated on the record. The Court GRANTS the Defendants' Motion for Mistrial (ECF No. 2856) and declares a MISTRIAL. Motions for Joinder (ECF Nos. 2865 and 2907) are GRANTED. The Court further GRANTS Motions for Joinder to Motions to Dismiss (ECF Nos. 2925, 2924 and 2916). The Court sets Calendar Call for Thursday, February 15, 2018, at 9:00 a.m. in Courtroom 7C. Trial is set for Monday, February 26, 2018, at 8:30 a.m. Exhibit and witness lists, proposed voir dire, proposed jury instructions and trial briefs are due by Thursday, February 8, 2018.

The parties will have until 5:00 p.m. on Friday, December 29, 2017, to file responses regarding whether mistrial should be with or without prejudice. A hearing on this issue is scheduled for Monday, January 8, 2018, at 9:00 a.m. in Courtroom 7C. The Court GRANTS the Intervenor's Motion for Hearing (ECF No. 3018). The hearing on the Motion to Unseal (ECF No. 3010) will be held on Monday, January 8, 2018, at 9:00 a.m. in Courtroom 7C. The Court orders the parties to refile as many sealed documents on the public docket as possible with any appropriate redactions.

Mr. Ryan Bundy requests defendants be released without electronic monitoring. The Court informs Mr. Ryan Bundy to request the relief through the Pretrial Services Office.

9:29 a.m. The jury enters the courtroom. The Court informs the jury that a mistrial has been declared. The jury is released from their admonishment and thanked for their service.

9:34 a.m. The Court adjourns.

DEBRA K. KEMPI, CLERK  
U.S. DISTRICT COURT

BY:           /S/            
Aaron Blazeovich, Deputy Clerk